

**STATE OF MARYLAND
DEPARTMENT OF AGRICULTURE
BEFORE THE STATE BOARD OF VETERINARY MEDICAL EXAMINERS**

IN THE MATTER OF:

*

SANDRA C. ANDRULIS, D.V.M.

*

DOCKET NO. 16-63

LICENSE NO. 7500

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CONSENT AGREEMENT AND ORDER

This Consent Agreement and Order ("Consent Agreement"), dated this 27th day of April, 2017, is between the State Board of Veterinary Medical Examiners ("SBVME") and Sandra C. Andrulis, D.V.M., License No. 7500. This Consent Agreement resolves the charges filed by the SBVME filed on January 27, 2017 in Docket No. 16-63, alleging that Dr. Andrulis violated the Code of Maryland Regulations ("COMAR"), specifically COMAR 15.14.01.07, pertaining to veterinary care, in her treatment of "Bacardi," a two-year-old ferret owned by Paola Class. On February 1, 2017, Dr. Andrulis asked to resolve the charges informally. By entering into this Consent Agreement, Dr. Andrulis waives the right to a hearing and an appeal on the charges in Docket No. 16-63. Dr. Andrulis has no disciplinary history with the Board.

Under Maryland law, the SBVME is the licensing authority responsible for regulating the practice of veterinary medicine in this State, which includes filing disciplinary actions against veterinarians charged with violating the provisions of the Veterinary Practice Act, Agriculture Article, §§ 2-301 through 2-316, Annotated Code of Maryland ("Veterinary Practice Act") and related COMAR regulations adopted pursuant to this law. See COMAR 15.14.01 through 15.14.17. As part of its authority, the SBVME "may refuse, suspend, or revoke any application or license, and censure or place on probation any licensee ... if the veterinarian ... [f]ails to comply

with Board rules and regulations after receiving a license." Md. Code Ann., Agric. Art., §2-310(8). The Board may also impose a civil penalty of not more than \$5,000 for a first offense, or \$10,000 for a second or subsequent offense, in lieu of or in addition to suspending or revoking a veterinarian's license, respectively. Md. Code Ann., Agric. Art., § 2-310.1 In setting the amount of a civil penalty, the Board shall consider the severity of the violation, the good faith of the violator, and any history of prior violations, as well as the Board's regulatory civil penalty standards. Md. Code Ann., State Gov't Art. § 10-1001(b); COMAR 15.14.11 (Civil Penalty Standards for Veterinarians).

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Sandra C. Andrulis, D.M.V. (License No. 7500) by entering into and signing this Consent Agreement, while generally and specifically denying liability in this case, agrees to the provisions of this Consent Agreement, acknowledging that the SBVME has sufficient evidence to find, as fact, and to conclude as a matter of law that Dr. Andrulis violated COMAR 15.14.01.07 while employed as a veterinarian for VIP Petcare, a mobile veterinary clinic operating at Pet Valu in Perry Hall, Maryland. Specifically:

1. On or about February 20, 2016, Paola Class presented her two-year-old ferret, "Bacardi," for a rabies vaccination by Dr. Andrulis.
2. Dr. Andrulis vaccinated "Bacardi" with Defensor 3, a medication not labeled for ferrets, rather than IMRAB 3, a medication labeled for ferrets.
3. After receiving the Defensor 3 vaccination, "Bacardi" began experiencing intermittent diarrhea for over a month and required a special diet.

Based on the foregoing findings of fact, the SBVME concludes that Sandra C. Andrulis, D.V.M., License No. 7500, did not practice the minimal standards of care expected of a

veterinarian in this State, a violation of COMAR 15.14.01.07 Professional Judgment and Practice, in her care and treatment of Paola Class's two-year-old ferret, "Bacardi," at VIP Petcare, a mobile veterinary clinic operating at Pet Valu in Perry Hall, Maryland on or about February 20, 2016. Taking all the facts and circumstances into consideration, including the nature of the violation, Dr. Andrulis' lack of a disciplinary history with the Board, and her good faith efforts to resolve this matter promptly, the Board concluded that the most reasonable and appropriate resolution includes the following sanctions.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is this 21st day of April, 2017, by the State Board of Veterinary Medical Examiners, ORDERED that:

- (a) For the violation of COMAR 15.14.01.07 (Professional Judgment and Practice), Dr. Andrulis is assessed a Civil Penalty in the amount of \$500, but payment of \$200 of this amount is stayed. Dr. Andrulis shall pay the portion of the Civil Penalty not stayed (\$300) payable to the "Maryland Department of Agriculture" with the notation "SBVME - 16-63." Payment shall be made not later than 30 days from the date of this Order.
- (b) Dr. Andrulis shall be placed on probation for a period of six months from the date of this Order. While on probation, Dr. Andrulis shall obey all laws and regulations governing the practice of veterinary medicine in this State and the conditions of this Consent Agreement. If probation is violated, meaning that the veterinarian is charged and the Board ultimately concludes that the veterinarian violated the Veterinary Practice Act, related regulations, or the terms of this Consent Agreement

during the period of probation, the stay shall be lifted, and the Board shall order Dr. Andrulis to pay the full amount of the civil penalty.

- (c) Within six months of the date of this Order, Dr. Andrulis shall complete six hours of continuing education ("CE") in vaccine administration as **pre-approved** by the Board. Within **30** days of completion of this CE, Dr. Andrulis shall forward to the Board documentation from the CE provider showing proof of completion of the CE credits under this Order. Proof from the CE provider shall include Dr. Andrulis' name, the number of CE hours completed, the topics covered, and the dates the CE was given. Completion of this CE will **not** be counted towards the 18 credit hours of CE required annually for re-registration of the veterinary license.

WITNESS the hand of the State Board of Veterinary Medical Examiners, State of Maryland, this 21st day of April, 2017.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS



David L. Handel, D.V.M.

President

State Board of Veterinary Medical Examiners
Maryland Department of Agriculture

CONSENT

I, Sandra C. Andrulis, D.V.M., acknowledge that I have had an opportunity to consult with counsel before entering into and signing this document. By this Consent, I hereby acknowledge the legal authority and jurisdiction of the Board over this matter and to issue and enforce this Consent Agreement. In order to resolve this matter, I agree to accept and submit to the foregoing Consent Agreement, consisting of 5 pages. I sign this Consent Agreement without reservation as my voluntary act and deed after having had an opportunity to consult with counsel, and I acknowledge that I fully understand and comprehend the language, meaning, and terms of this Consent Agreement.

4/4/2017
Date

Sandra C. Andrulis
Sandra C. Andrulis, D.V.M.

NOTARY

STATE OF Maryland
CITY/COUNTY OF Baltimore City

I HEREBY CERTIFY that on this 4th of April, 2017, before me, a Notary Public of the City/County aforesaid, personally appeared Sandra C. Andrulis, D.V.M., and made oath in due form of law that the foregoing Consent Agreement was her voluntary act and deed.

AS WITNESS my hand and notarial seal.

Barbara Weddell

Notary Public

My commission expires: 10/19/17